

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Case No. 3:06-CV-00377**

FAMILY DOLLAR STORES, INC., FAMILY DOLLAR, INC., and FAMILY DOLLAR SERVICES, INC.

Plaintiffs.

v.

CHRISTIAN CASEY LLC d/b/a SEAN JOHN, SEAN JOHN CLOTHING, INC., A E SQUARE ONE, INC., ALLEN PENIAS, and BETTY PENIAS,

Defendants.

DEFAULT JUDGMENT

This matter is before the Court on the Motion of Plaintiffs Family Dollar Stores, Inc., Family Dollar, Inc., and Family Dollar Services, Inc. (“Family Dollar”) for Default Judgment. Defendant AE Square One, Inc. (“AE Square”) has failed to plead or otherwise defend itself in this action and an Entry of Default has been entered upon Plaintiffs’ Complaint.

IT IS THEREFORE ORDERED:

1. That Family Dollar is not obligated to make any further payment to AE Square for the “Sean John” branded apparel merchandise Family Dollar purchased from AE Square (the “Products”);
2. That AE Square is required to indemnify Family Dollar in the amount of \$400,000;
3. That Family Dollar is entitled to set off an amount up to \$400,000 against funds it would otherwise owe AE Square for the Products;
4. That Family Dollar have and recover its costs of AE Square.

Signed: July 25, 2007



Graham C. Mullen
United States District Judge

